

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF JULY  
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE G.CHANDRAIAH**

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**WRIT PETITION NO : 17275 of 1994**

Between:

Shaik Ansar, S/o. Sabji,  
Muttavalli, Darga of Hajarat Dankeshavali,  
Vizianagaram, R/o. Vizianagaram.

**..... PETITIONER**

AND

- 1 A.P.State Wakf Board, Hyderabad, rep.by its Special Officer.
- 2 Inspector of Auditor/Wakfs, Vizianagaram, Vizianagaram Dist.
- 3 President, Dist. Wakf Committee, Vizianagaram,  
Vizianagaram Dist.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for the concerned records relating to the proceedings of the 1st respondent date 26.8.1994 and made in A1/45/VZM 89 and quash the same by issuance of a Writ, Direction or Order, particularly one in the nature of Certiorari.

**Counsel for the Petitioner: MR.R.V.SUBBA RAO**

**Counsel for the Respondent No.: MR.S.M.SUBHANI, S.C. for Wakf Board**

**The Court made the following :**

ORDER:

Heard both the counsel.

This writ petition is filed questioning the proceedings dated 26.8.1994 whereunder the Darga of Hajarat Dankeshavali situate at Vizianagaram District was taken over by the first respondent Wakf Board in respect of which the petitioner stated to have been functioning as Muttawalli unauthorisedly.

The writ petition has been filed raising several grounds and both the learned counsel argued the matter vehemently in favour of their respective parties. Thereafter both the counsel requested this Court to dispose of the matter directing the petitioner to approach the first respondent for considering the case of the petitioner and also for a direction to the first respondent to consider the case of the petitioner as per law. In terms of the said submissions, I am of the opinion that it is justifiable to dispose of the matter without speaking anything on the merits of the case directing the petitioner to approach the first respondent with a request to consider his case as per law.

Accordingly, the petitioner is directed to approach the first respondent with all the relevant documents with a request to consider his case for appointment as Muttawali of the said Darga, in question, as per law

and the first respondent is also directed to consider the case of the petitioner for appointment as Muttawali in accordance with law to the said Darga of Hajarat Dankeshaali, Vizianagaram, within two months from the date of receipt of the copy of the order. Till such time, the status quo order granted by this Court at the time of admission of the writ petition shall continue.

The writ petition is, accordingly, disposed of. No order as to costs.

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(G.CHANDRAIAH, J.)

21.7.2005

kpr

To

- 1 A.P.State Wakf Board,Hyderabad, rep.by it's Special Officer.
- 2 Inspector of Auditor/Wakfs, Vizianagaram, Vizianagaram Dist.
- 3 President, Dist.Wakf Committee Vizianagaram,  
Vizianagaram Dist.

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